

REMARKS

Applicant canceled claims 16, 17, and 19 and added new claim 22. Support for the new claim can be found, for example, in Fig. 2. Claims 1-5, 7-13, and 22 are presented for examination.

The Examiner rejected claims 16, 17, and 19 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,847,743 (Look). Applicant canceled claims 16, 17, and 19, which renders the rejection moot.

The Examiner rejected claims 1-5 and 7-13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,728,962 (Sherrington) in view of Look. In particular, the Examiner relied on Sherrington for describing printing on a set of articles, and acknowledging that Sherrington does not describe the claimed printing apparatus, relied on Look for Sherrington's deficiency. The sole motivation for the combination provided by the Examiner is:

...it would have been obvious to one having ordinary skill in the art to modify Sherrington by replacing the printing apparatus of Sherrington with the printing apparatus of Look to give the desired functionality of claims 1-3, 7-10, and 12-13 as taught by Look, because Sherrington teaches it is advantageous to reduce the number of print heads by increasing the number of lanes onto which the printhead can print, and the printhead of Look can provide the functionality required in Sherrington by using only one printhead to print on all of the articles arranged in parallel lanes. (p. 9-10 of the Office Action, emphasis added)

This motivation, however, is unsupported by the references and illogical in light of the disclosures of the cited references.

The Examiner has provided no sound reason as to why one skilled in the art would substitute Sherrington's printheads and use the printhead of Look. While Sherrington indeed discloses using the same imprinting unit for imprinting two or more lanes by displacing the imprinting unit, Sherrington also describes printheads that are capable of printing on multiple lanes. Why then would one skilled in the art use the printhead of Look when Sherrington already discloses suitable printheads? The Examiner has not pointed to any evidence that supports his

mental leap to the suggested substitution. Rather, the Examiner's statement that it would have been obvious to replace "the printing apparatus of Sherrington with the printing apparatus of Look to give the desired functionality of claims 1-3, 7-10, and 12-13 as taught by Look" suggests that the combination was impermissibly formed using Applicant's claims as a template (emphasis added).

There is also no suggestion that one skilled in the art would use Look's printhead to do all the printing, as suggested by the Examiner. Indeed, one skilled in the art would use multiple printheads, each of which are capable of printing multiple lanes. For example, as described in Sherrington starting at col. 6, line 20, in a system having six lanes, one skilled in the art may use three printheads capable of printing simultaneously. To print at six locations, the three printheads need only be moved once and only one-sixth of the width of the six lanes. But, if one were to use Look's printhead for the same six-lane system as the Examiner suggested, the printhead would need to be moved five times and five-sixth of the width of the six lanes. That is, compared to using Sherrington's printheads, Look's printhead would be moved five times more frequently and five times the distance to do the same task. Clearly, this is antithetical to Sherrington's purpose of providing a more efficient system.

For at least the reasons discussed above, the suggested combination must fail. Applicant requests that the rejection be reconsidered and withdrawn.

New claim 22 recites that the articles are unconnected and spaced from each other along the generally parallel lanes. As acknowledged by the Examiner, both Sherrington and Look describe printing a web or a sheeting. Thus, claim 22 is patentable for at least the reason that the cited references do not disclose or suggest a method of printing on articles that are unconnected and spaced from each other.

Applicant believes the claims are in condition for allowance, which action is requested.

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Respectfully submitted,

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